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09/929,266	08/13/2001	Brian T. Chait	01173.0003U2	9613
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Robert A. Hodges, Ph.D. NEEDLE & ROSENBERG, P.C. The Candler Building, Suite 1200 127 Peachtree Street, N.E.			EXAMINER	
			HORLICK, KENNETH R	
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Atlanta, GA 30303-1811			1637	17
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Description Chair Et Al. Examiner Art Unit Examiner A							
## Defice Action Summary Examiner Kenneth R Horlick 1937	Í		Application No.	Applicant(s)			
Remeth R Horlick 1637 Period for Reply	!		09/929,266	CHAIT ET AL.			
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edutations for the map by a enable under the provisions of 3 CER 1.138(a). In rolevent, however, may a reply be timely filled Edutations for map by a possible do sove the last than a 37 CER 1.138(a). In rolevent, however, may a reply be timely filled If the period for reply specified above the last than thirty (30) days, a reply with the datablety minimum of theirty (30) days, will be considered timely. If No period for reply specified above the last than their (20) days, a reply with the datablety minimum of theirty (30) days, will be considered from their communication of the communication to last their things (that of this communication). If No period for reply specified above the last than their (20) days, a reply the timely flexif, may revoke a reply a communication to the communication		Office Action Summary	Examiner	Art Unit			
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2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-521 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 4pplication Papers 9) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved by disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * ○ None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s)	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
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1. Claims 1-521 are generic to a plurality of disclosed patentably distinct species comprising different kinds of reporter signals. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed. That is, while some of the claims are limited to reporter signals which are peptides, many of the claims are generic with respect to the reporter signal, which may be, for example, a peptide, oligonucleotide, carbohydrate, etc. Applicant must elect one species, e.g. a peptide, as the reporter signal, for which search and prosecution will be limited in this application.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Horlick whose telephone number is 703-308-3905. The examiner can normally be reached on Monday-Thursday 6:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion can be reached on 703-308-1119. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-4242 for regular communications and 703-308-0294 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Plutth. Holling, Ph.D., Kenneth R Horlick Primary Examiner

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January 30, 2003